

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:20-cv-00287-MMD-CSD

DANTE PATTISON,

Plaintiff

v.

BRIAN SANDOVAL, et al.,

Defendants

Order

Re: ECF No. 90

Before the court is Plaintiff's Demand for Recording/Transcript of October 14, 2021, Telephonic Conference re ECF No. 70. (ECF No. 90.)

Plaintiff requests a transcript of the hearing before Magistrate Judge William G. Cobb on October 14, 2021.

This action was reassigned to the undersigned following Judge Cobb's retirement, and the undersigned addressed a motion filed by Defendants that involved discovery orders Judge Cobb issued at the October 14, 2021, hearing. The court concluded that on further review, Plaintiff's request for all NDOC e-mails related to Plaintiff from 2016 to the present is overbroad and not proportional to the needs of the case. In footnote 2 of that order, the court noted that Deputy Attorney General (DAG) Avillo did object at the October 14, 2021, hearing that this particular category of documents was overbroad. (ECF No. 83.)

Plaintiff subsequently filed a motion expressing his displeasure with that order, and argued that footnote 2 was belied by the record. (ECF No. 84.) In a February 7, 2022 order, the court pointed out that DAG Avillo's objection was not referenced in the court's minutes;

1 however, a recording of the hearing reveals that DAG Avillo voiced concern several times that
2 the categories of documents being sought by Plaintiff were overbroad. (ECF No. 87.)

3 Presumably, Plaintiff's request for the transcript of the October 14, 2021 hearing stems
4 from this discussion.

5 When an inmate is granted *in forma pauperis* status, "the court may direct payment by
6 the United States of the expenses of ... preparing a transcript of proceedings before a United
7 States magistrate judge in any civil or criminal case, if such transcript is required by the district
8 court, in the case of proceedings conducted under section 636(b) of this title[.]" 28 U.S.C.
9 § 1915(c).

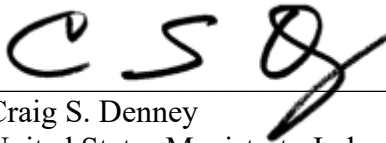
10 Plaintiff's request for a transcript of the October 14, 2021, hearing (ECF No. 90) is
11 **GRANTED.**

12 The Clerk shall arrange for a transcript of the October 14, 2021, hearing (ECF No. 70) at
13 the Government's expense.

14 **IT IS FURTHER ORDERED** that the transcript shall be prepared in the **14-day**
15 timeframe and copies shall be provided to Plaintiff and counsel for Defendants.

16 **IT IS SO ORDERED.**

17 Dated: February 15, 2022

18 
19 Craig S. Denney
20 United States Magistrate Judge
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